

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.

ORB-023

Total Pages in this Submission

53

## TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application

P.O. Box 1450

Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**AIRCRAFT AND MISSILE AFTERBODY FLOW CONTROL DEVICE AND METHOD OF CONTROLLING FLOW**

31353 U.S. PTO  
10/750422



and invented by:

**DICOCCO ET AL.**

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 10/336,117

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

### Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 23 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☒ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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**Application Elements (Continued)**

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal      Number of Sheets \_\_\_\_\_
- b. ☒ Informal      Number of Sheets \_\_\_\_\_
4. ☒ Oath or Declaration
- a. ☒ Newly executed *(original or copy)*      ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney      ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under  
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CFR)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Certificate of Mailing
- ☐ First Class      ☒ Express Mail *(Specify Label No.):* ER 065600556 US

**UTILITY PATENT APPLICATION TRANSMITTAL  
(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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**Accompanying Application Parts (Continued)**

17. ☒ Applicant claims small entity status. See 37 CFR 1.27.

☒ (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted: 2

18. ☐ Additional Enclosures *(please identify below)*:

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

19. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

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**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	20	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	3	- 3 =	0	x \$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$385.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$385.00

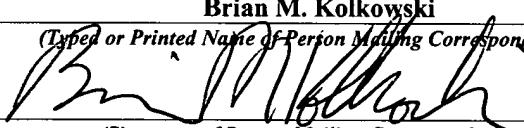
- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **502704** as described below.
- ☒ Charge the amount of **\$385.00** as filing fee.
  - ☒ Credit any overpayment.
  - ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
  - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

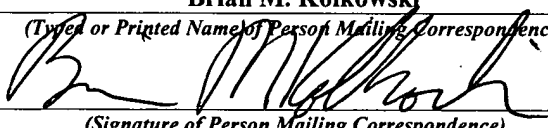
Dated: **12/30/2003**

  
Signature

cc:

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> Applicant(s): <b>DICOCCO ET AL.</b>			Docket No. <b>ORB-023</b>
Serial No.	Filing Date	Examiner	Group Art Unit
Invention: <b>AIRCRAFT AND MISSILE AFTERBODY FLOW CONTROL DEVICE AND METHOD OF CONTROLLING FLOW</b>			
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 10px; min-height: 50px;"><b>PATENT APPLICATION AND DRAWINGS</b></div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"><div style="text-align: center;"><u>12/30/2003</u> <i>(Date)</i></div><div style="text-align: center;"><u>Brian M. Kolkowski</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i>  <u><i>(Signature of Person Mailing Correspondence)</i></u>  <u>ER 065600556 US</u> <i>("Express Mail" Mailing Label Number)</i></div></div>			
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>			

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> Applicant(s): <b>DICOCCO ET AL.</b>			Docket No. <b>ORB-023</b>
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Invention: <b>AIRCRAFT AND MISSILE AFTERBODY FLOW CONTROL DEVICE AND METHOD OF CONTROLLING FLOW</b>			
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 10px; min-height: 40px;"><b>DECLARATION AND POWER OF ATTORNEY</b></div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <p style="text-align: center;"><u>12/30/2003</u> <i>(Date)</i></p> <div style="text-align: center; margin-top: 20px;"><p><b>Brian M. Kolkowski</b> <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p><div style="border-top: 1px solid black; width: 100%; height: 40px; position: relative;"><p style="position: absolute; bottom: 0; right: 0;"><i>(Signature of Person Mailing Correspondence)</i></p></div><p><b>ER 065600556 US</b> <i>("Express Mail" Mailing Label Number)</i></p></div>			
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Invention: <b>AIRCRAFT AND MISSILE AFTERBODY FLOW CONTROL DEVICE AND METHOD OF CONTROLLING FLOW</b>			
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 10px; min-height: 50px;"><b>NONPUBLICATION REQUEST</b></div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <p style="text-align: center;"><u>12/30/2003</u> <i>(Date)</i></p> <div style="text-align: center;"><p><b>Brian M. Kolkowski</b> <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p><div style="border-top: 1px solid black; width: 100%;"></div><p><i>(Signature of Person Mailing Correspondence)</i></p><p><b>ER 065600556 US</b> <i>("Express Mail" Mailing Label Number)</i></p></div>			
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Jack D. Caco et al.

Title

Aircraft and Missile Attack  
Control Device and Method  
Controlling Flow

Attorney Docket Number

9

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

12/30/2003  
Date

Brian M. Kolkowski  
Signature

(214) 649-0376  
Telephone number

Brian M. Kolkowski  
Typed or printed name

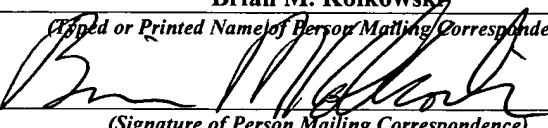
This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

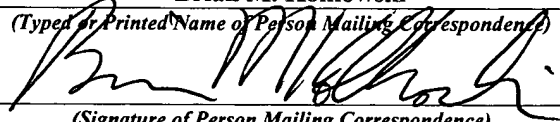
Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

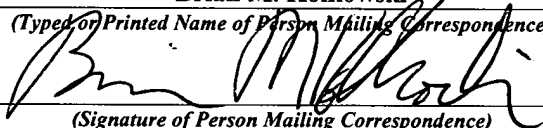
This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"><b>VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS (ORBITAL RESEARCH INC.)</b></div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <p style="text-align: center;"><u>12/30/2003</u> <i>(Date)</i></p> <div style="text-align: center; margin-top: 20px;"><p><b>Brian M. Kolkowski</b> <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p><p><i>(Signature of Person Mailing Correspondence)</i></p><p><b>ER 065600556 US</b> <i>("Express Mail" Mailing Label Number)</i></p></div>			
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Invention: <b>AIRCRAFT AND MISSILE AFTERBODY FLOW CONTROL DEVICE AND METHOD OF CONTROLLING FLOW</b>			
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 10px; min-height: 40px;"><b>UTILITY APPLICATION TRANSMITTAL (SMALL ENTITY)</b></div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <p style="text-align: center;"><u>12/30/2003</u> <i>(Date)</i></p> <div style="text-align: center; margin-top: 20px;"><p><b>Brian M. Kolkowski</b> <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p><div style="border-top: 1px solid black; width: 100%;"></div><p><i>(Signature of Person Mailing Correspondence)</i></p><p><b>ER 065600556 US</b> <i>("Express Mail" Mailing Label Number)</i></p></div>			
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